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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/832,190	04/11/2001	Toshihumi Takada	04208.0101	1562

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EXAMINER

LEON, EDWIN A

ART UNIT

PAPER NUMBER

2833

DATE MAILED: 08/08/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/832,190

Applicant(s)

TAKADA ET AL.

Examiner

Edwin A. León

Art Unit

2833

- The MAILING DATE of this communication appears on the cover sheet with the correspondence address -

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 03 May 2002.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All   b) ☐ Some \*   c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Response to Amendment*

1. Applicant's amendment filed May 3, 2002 in which the Specification and Claims 1, 3-5 and 8 have been amended, has been placed of record in the file as Paper No. 8.

### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in-

(1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or  
(2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a).

3. Claims 1-8 are rejected under 35 U.S.C. 102(e) as being anticipated by Nishimura (U.S. Patent No. 6,398,567). With regard to Claim 1, Nishimura discloses a card connector for accepting a card (1), which has a recess (17a) in its side surface (where 17a is located), the card connector comprising: an eject mechanism (2,9) having an eject member (2,9), the eject member (2,9) being adapted to move in a card insertion direction as the card (1) is inserted into the connector during a card insertion

operation and to move in a card eject direction in response to a card eject operation to eject the card (1); an elastic locking piece (15,32) having a locking portion (31) to engage in the recess (17a) of the card (1) and a stationary portion (19) fixed in the eject member (2,9); and a locking piece guide means (29) for guiding the elastic locking piece (15,32) during the card eject operation and the card insertion operation wherein the locking piece guide means (29) causes the elastic locking piece (15,32) to become elastically deformed during the card eject operation to move the locking portion (31) away from the recess (17a) of the card (1) and wherein the locking piece guide means (29) causes the elastic locking piece (15,32) to become released from the elastic deformation during the card insertion operation thereby causing the elastic locking piece (15,32) to move toward the card (1) by an elastic recovery force to engage the locking portion (31) in the recess (17a) of the card (1). See Figs. 10-16.

With regard to Claim 2, Nishimura discloses the locking piece guide means (29) having a protruding portion (16) projecting from the elastic locking piece (15,32); and a guide wall (10) formed in the connector housing (6) and having a tapered surface (inside surface of 10) to guide the protruding portion (16) as the eject member (2,9) moves in the card insertion or eject direction. See Figs. 10-16.

With regard to Claim 3, Nishimura discloses the locking piece guide means (29) guiding the protruding portion (16) of the elastic locking piece (15,32) thereby causing the locking portion (31) to move away from the side surface (where 17a is located) of the card (1) and towards a side wall portion of the connector housing (6) during the card eject operation and to move toward the side surface (where 17a is located) of the card

(1) during the card insertion operation causing the locking portion (31) to press against the side surface (where 17a is located) of the card (1); the protruding portion (16) of the elastic locking piece (15,32) projects upwardly or downwardly of the connector housing (6); and the tapered surface of the guide wall (10) is inclined with respect to the side surface (where 17a is located) of the inserted card (1). See Figs. 10-16.

With regard to Claim 4, Nishimura discloses the locking piece guide means (29) guiding the protruding portion (16) of the elastic locking piece (15,32) thereby causing the locking portion (31) to move vertically away from the bottom or top surface of the card (1) during the card eject operation and to move toward the bottom or top surface of the card (1) during the card insertion operation causing the locking portion (31) to press against the bottom or top surface of the card (1); the protruding portion (16) of the elastic locking piece (15,32) projects widthways of the connector housing (6); and the tapered surface of the guide wall (10) is inclined with respect to the bottom surface of the inserted card (1). See Figs. 10-16.

With regard to Claim 5, Nishimura discloses the locking piece guide means (29) being a member projecting from the connector housing (6) to engage a part, of the elastic locking piece (15,32) thereby causing the locking portion (31) to move away from the side surface (where 17a is located) of the card (1) and towards a side wall portion of the connector housing (6) during the card eject operation and to move toward the side surface (where 17a is located) of the card (1) during the card insertion operation. See Figs. 10-16.

With regard to Claim 6, Nishimura discloses the locking portion (31) of the elastic locking piece (15,32) being shaped virtually like a hook. See Figs. 10-16.

With regard to Claim 7, Nishimura discloses that when a second card (1) without the recess (17a) is inserted, the locking portion (31) of the elastic locking piece (15,32) works as a braking piece that presses against a wall surface of the second card (1) to apply to the card (1) a braking force acting in a direction opposing card retraction. See Figs. 10-16.

With regard to Claim 8, Nishimura discloses the connector housing (6) being formed with a space that prevents the protruding portion (16) from interfering with other members when a second card (1) without the recess (17a) is inserted. See Figs. 10-16.

### ***Response to Arguments***

4. Applicant's arguments with respect to claims 1-8 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

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A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Edwin A. León whose telephone number is (703) 308-6253. The examiner can normally be reached on Monday - Friday 9:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paula A. Bradley can be reached on (703) 308-2319. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-7722 for regular communications and (703) 308-7722 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

Edwin A. Leon  
AU 2833  
EAL  
July 27, 2002

  
**THO D. TA**  
**PRIMARY EXAMINER**